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PATENT & TRADEMARK OFFICE

04-13-06

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Docket No.: 56790 (70904)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: T. Matsuo

Application No.: 10/023,062 | Confirmation No.: 5485

Filed: December 14, 2001 | Art Unit: 2623

For: OPTICAL RECORDING MEDIUM AND REPRODUCING APPARATUS | Examiner: Tabatabai, Abolfazl

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)FILED UNDER 37 CFR 1.97(I)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee' service under 37 CFR 1.10 (Express Mail Label No: **EV 754870534 US**), and is addressed to Mail Stop: AMENDMENT, Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on April 11, 2006.

By Kathryn A. Grindrod
Kathryn A. Grindrod

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references/documents listed on the attached PTO/SB/08a/b. It is respectfully requested that these references/documents be expressly considered during the prosecution of this application, and that these references/documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

I COPIES

a. __X__ Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

b. ____ This application relies under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. _____, filed on _____. The references listed on the attached Form PTO/SB08a/b were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application.

II. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. __X__ Except as may be indicated below in (b), all of the patents, publications or other information submitted herewith are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).

b. __X__ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

See English language Abstracts attached to each of the documents cited and provided herewith.

c. __X__ The following additional information is provided for the Examiner's consideration:

The documents cited and provided herewith were cited in a Japanese Office Action dated 22 March 2006 in an application corresponding to this application (Japanese Patent Application No. 2000-391580).

FEES

III. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)
(check one box)

a. ____ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1). No fee or certification is required.

b. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2). No fee or certification is required.

c. ____ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § I.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of $180.00 as required by 37 C.F.R. § I.17(p).

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

a. ____ No certification; therefore, a fee in the amount of $180.00 is required by 37 C.F.R. §1.17(p).

OR

b. __X__ See the certification below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(e)
(check only one box)

The undersigned hereby states that

a. __X__ each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

b. ____ no item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § I.56(c) more than three months prior to the filing of this statement.

c. ____ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

___ Please charge Deposit Account No. 04-1105 in the amount of $180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

__X__ No fee is required.

__X__ Applicant believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this submission. However, if for any reason a further fee is required, a fee paid is inadequate or a credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

If the Examiner has any questions concerning this Information Disclosure Statement, he/she is requested to contact the undersigned. Further, if it is determined that this Information Disclosure Statement has been filed under the wrong rule, the United States Patent and Trademark Office is requested to consider this Information Disclosure Statement under the proper rule, with a petition if necessary, and to charge the appropriate fee to Deposit Account No. **04-1105**.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 56790 (70904). A duplicate copy of this paper is enclosed.

Dated: April 11, 2006

Respectfully submitted,

By David A. Tucker

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APR 11 2006
PATENT & TRADEMARK OFFICE

Application No. (if known): 10/023,062 Attorney Docket No.: **56790 (70904)**

Certificate of Express Mailing Under 37 CFR 1.10

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MS Amendment
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Kathryn A. Grindrod
Signature

Kathryn A. Grindrod
Typed or printed name of person signing Certificate

Registration Number, if applicable

617 517-5534
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Supplemental Information Disclosure Statement Under 37 CFR 1.97(i) (6 pages)
Form PTO/SB/08a/b (w/4 References) (1 page)
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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	10/023,062-Conf. #5485
Filing Date	December 14, 2001
First Named Inventor	Toshihisa Matsuo
Art Unit	2625
Examiner Name	Tabatabai, Abolfazl
Attorney Docket Number	**56790 (70904)**

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-6,052,465	04-18-2000	Yoshiho Gotoh, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	BA	JP-07-182766	07-21-1995			√
	BB	JP-11-317012	11-16-1999			√
	BC	JP-60-167129	08-30-1985			√

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached. Abstract only.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1]Applicant's unique citation designation number (optional). [2]Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	